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SEAN E. MANNING

February 28, 2013

**Via Certified Mail,
Return Receipt Requested**

Equal Employment Opportunity Commission
215 Dean A. McGee Ave., Ste. 524
Oklahoma City, Oklahoma 73102

RECEIVED
2013 MAR 4 PM 1:46
US EEOC
OKLAHOMA CITY
AREA OFFICE

Re: Wilbert L. Glover v. Horizontal Well Drillers LLC

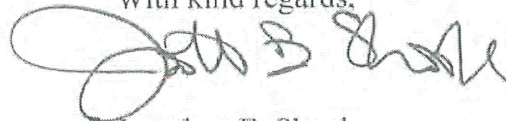
Dear Madam or Sir:

Please find enclosed an executed Intake Information Sheet submitted by this firm's client under penalty of perjury regarding the disability discrimination practiced against him by his employer, Horizontal Well Drillers LLC, located in Purcell, Oklahoma. This intake information sheet is provided in support of Mr. Glover's complaint of disability discrimination and it constitutes a "charge" of discrimination.

As you will see, Mr. Glover contends that his employer fired him after learning that a physical examination showed an elevated blood pressure even though the examining physician found Mr. Glover medically qualified for the job. Pursuant to the enclosed intake papers, you should commence your administrative processes to rectify the unlawful discrimination engaged in by Horizontal Well Drillers.

I appreciate your prompt attention to this request. Do not hesitate to contact me should you have questions or concerns regarding this matter.

With kind regards,



Jonathan E. Shook
For the Firm

Enclosures
cc: W. Glover



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RECEIVED
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US EEOC
OKLAHOMA
AFB
Intake Information/Charge of Discrimination

Wilbert L. Glover v. Horizontal Well Drillers LLC.¹

I am a thirty-four (34) year-old black male (DOB: December 3, 1978). I reside at 433 Flournoy Lucas Road, Lot #24, Shreveport, Louisiana, 71106. My telephone number is (318) 207-4948.

I have worked in the oilfield industry and on drilling rigs for the past thirteen years. Over those years, I have worked as a roughneck on drilling rigs, and I have worked as a driller. Based on my experience, I am qualified to perform all jobs and duties involved in the daily operation of a drilling rig.

In January 2013, I found a job listing on the internet for work with Horizontal Well Drillers, a drilling company in Purcell, Oklahoma. I submitted an online application and thereafter was invited to travel to Purcell to participate in an interview. I did so. About two weeks later I was offered a job, and I accepted the offer.

I began working for Horizontal Well Drillers on February 7, 2013. For the next five days, I worked full-time for Horizontal Well Drillers and I performed the duties of the job in a manner that met or exceeded my employer's expectations. I was not counseled, reprimanded, criticized, disciplined, or written-up in connection with my performance of the job duties.

While working on February 11, 2013, I was instructed that I needed to submit to a physical examination. At some point during the mid-morning I underwent a physical examination which was performed by a doctor hired by the Company. At the outset of the physical, my vitals were taken and recorded. During the course of the physical, the doctor commented to me that my blood pressure was high but that I was physically fit. I told the doctor I had no history of high blood pressure and that I had been and was under the stress of having recently been out-of-work and concerned about providing for my family. He called it an "exaggerated blood pressure" and said he didn't think it would affect my job.

After completing the physical, I went back to work around noon on February 11, 2013. At some point later in the day, about 3:00 p.m., my supervisor, Doug Heflin, took me aside while he was redirecting our work assignments and told me "hey man, they say your blood pressure is real high so we're gonna have to let you go." I was shocked and said something like "seriously," and Mr. Heflin added "the company doesn't think you will be able to do the job out there with your blood pressure that high, they say you could get out there and pass out while working or have a heart attack while working." He finished by saying "the company's wants you to go to the house."

I didn't agree with what Mr. Heflin was saying, but I didn't argue with him. So I left the company's premises. But before I did, I requested and received a copy of the physical examination results. The attached report shows that the doctor checked the box saying

¹Horizontal Well Drillers LLC is an Oklahoma limited liability company. Its mailing address is: P.O. Box 1626, Purcell, Oklahoma 73080.

"Candidate is medically qualified to perform the job described." The doctor's comments were "followup family doctor for HZN treatment, maintain blood pressure daily log." The attached Company "termination form" dated February 11, 2013, said I was discharged from my job because I was "unable to perform duties within first 90 days."

According to the doctor's note and based on my work over the first five days of employment, I was able to perform the duties of the job. Accordingly, based on the facts and circumstances described above, I believe Horizontal Well Drillers' decision to terminate my employment was motivated by my disability and/or by its erroneous belief about my high blood pressure and my ability to perform the essential duties of the job, all based on stereotype and myth. I believe I was discriminated against on the basis of disability in violation of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 *et seq.* ("ADA") as amended, because of my actual disability and/or because Horizontal Well Drillers regarded me as disabled. In support of my charge, in summary, I state:

1. I was hired by Horizontal Well Drillers on February 7, 2013, and satisfactorily performed the duties of my job.

2. On February 11, 2013, the Company required me to undergo a physical examination, the results of which indicated an elevated blood pressure at the time of the examination. The doctor opined that I was "medically qualified to perform the job" based on the physical examination.

3. After getting the examination results, Horizontal Well Drillers terminated my employment because of the high blood pressure noted even though the examining physician cleared me to do the job.

4. Any rationale asserted by Horizontal Well Drillers as to the reason for my termination, other than the noted high blood pressure, is pretextual.

5. I believe I was discriminated against on the basis of disability in violation of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 *et seq.* ("ADA") as amended, because of my actual disability and/or because Horizontal Well Drillers regarded me as disabled.

6. As a result of Horizontal Well Drillers unlawful discrimination, I have lost wages and benefits, and I have experienced physical and emotional distress, mental/emotional anguish, worry, and upset.

Below are names, addresses, and telephone numbers of individuals who may have knowledge that can assist in establishing that Horizontal Well Drillers discriminated against me:

1. Doug Heflin, Horizontal Well Drillers, LLC, P.O. Box 1626, Purcell, Oklahoma 73080, (405) 527-1232.

2. Dr. Kevin Penwell, NRH Occupational Medicine, 724 24th Ave. NW, Suite

200, Norman, Oklahoma 73069, (918) 360-6868.

By this submission, I intend to activate the EEOC's administrative process. I respectfully request the EEOC, through the administrative process, find that Horizontal Well Drillers LLC violated the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008, and recover for me all legal and equitable remedies due.

I, attest and affirm, that all circumstances written about in the above are true and correct to the best of my knowledge and belief.

February 26, 2013
Date

Wilbert L. Glover, III
Wilbert L. Glover

SUBSCRIBED AND SWORN TO before me this 26th day of February, 2013.

Jacquelyn Green
Notary Public

My Commission Expires: 04/11/16

